## REMARKS

Reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks is respectfully requested. Entry of this Amendment is merited under Rule 116 because it places the application in condition for allowance.

Claims 5-10 and 13 remain pending in this application. Claims 2-3 have been cancelled. Applicant appreciatively notes that claims 5-10 and 13 are indicated as being allowable.

Claims 2-3 are rejected under 35 U.S.C 103(a). In response, Claims 2 and 3 have been cancelled to expedite prosecution without any prejudice and/or disclaimer. Accordingly, this rejection should be withdrawn.

It is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited.

Early issuance of a Notice of Allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

LOWE HAUPTMAN HAM & BERNER, LLP

Tenneth My Berner Kenneth M. Berner

Registration No. 37.093

1700 Diagonal Road, Suite 300 Alexandria, Virginia 22314 (703) 684-1111

(703) 518-5499 Facsimile Date: December 12, 2008

KMB/SOM/cac